

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

PROVEN NETWORKS, LLC.,

Plaintiff,

v.

NETAPP, INC.,

Defendant.

Case Nos. 6:20-cv-00369-ADA, WA:20-MC-02959-ADA

**JURY TRIAL DEMANDED**

**AGREED MOTION TO AMEND SCHEDULING ORDER**

Plaintiff Proven Networks, LLC, jointly with Defendant NetApp, Inc., respectfully asks the Court to enter the proposed schedule in this case based on the agreement reached between the parties. The requested extension is necessary as a result of trial conflicts for Proven's counsel as well as other scheduling conflicts with scheduling the depositions of the parties' experts.

Further, to the extent this Motion seeks to move deadlines for which good cause must be shown, *i.e.* to the extent this Court interprets the Motion to amend the deadlines given by the default schedule in the OGP, Dkt. No. 26, Case No. 6:20-cv-00369-ADA, good cause exists and the relief sought is not for the purposes of delay. Specifically, counsel for Proven has significant scheduling conflicts relating to trial which has resulted in scheduling difficulties for the experts. Additionally, the schedules of the various experts has also resulted in difficulties scheduling the required depositions. Moreover, this case has been transferred to the Northern District of California for trial. Dkt. 61.

Therefore, Proven and NetApp respectfully request that the Court enter the Amended Proposed Schedule Order, attached hereto as Exhibit A.

Dated: February 4, 2022

Respectfully submitted,

/s/ Steven Udick

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***Attorneys for Defendant NetApp, Inc.***

**CERTIFICATE OF SERVICE**

I certify that on February 4, 2022, a true and correct copy of the foregoing document was electronically filed with the Court and served on all parties of record via the Court's CM/ECF system.

Dated: February 4, 2022

Respectfully submitted,

/s/ Steven Udick

Steven Udick